

**RIO DELL CITY COUNCIL  
REGULAR MEETING  
JANUARY 19, 2010  
MINUTES**

The Regular Meeting of the Rio Dell City Council was called to order at 6:30 P.M. by Mayor Woodall.

ROLL CALL: Present: Mayor Woodall, Councilmembers Barsanti, Dunker, Marks and Thompson

Others Present: Interim City Manager Stretch, Chief of Police Hill, Finance Director Beauchaine, and City Clerk Dunham

Absent: Acting Public Works Director Jensen (excused)

**CONSENT CALENDAR**

Councilmember Marks requested the minutes of the December 15, 2009 meeting be pulled for separate discussion under Special Call Items.

Motion was made by Marks/Dunker to approve the consent calendar including the minutes of the January 5, 2010 Regular Meeting; Resolution No. 1070-2010 Approving the Destruction of Certain Police Records, Documents, and Papers Pursuant to Sections 34090 and 34090.6 of the California Government Code; and a Budget Amendment of \$2,865.64 for Equipment Purchase and Close-out of LLEBG Fund. Motion carried 4-0 with Councilmember Marks abstaining from vote on the January 5, 2010 minutes.

**SPECIAL PRESENTATIONS**

Annual Police Report

Chief of Police Hill provided a power point presentation on the 2009 Annual Police Report which included stats on Personnel; Retention of Officers; Vehicle Fleet; Training; Animal Control; Patrol Stats; System Statistics Analysis; COPS Hiring Recovery Program; Goals for 2010; and Photos.

Mayor Woodall asked if the City currently had an officer on the Humboldt County Drug Task Force; Chief Hill stated that due to limited staffing, the department had not participated in the DTF since 1994.

Councilmember Marks asked Chief Hill to define "Code Enforcement." He said the three main responsibilities of code enforcement are nuisance, weed, and vehicle abatement.

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Councilmember Marks asked if the police department still had the canine and if he had assisted in taking down any suspects; Chief Hill said that he had not and that he would be seeking some additional training for him this year.

**SPECIAL CALL ITEMS**

Approve Minutes of the December 15, 2009 Regular Meeting

Councilmember Marks stated she would like a correction to Page 4 of the minutes to reflect that she had attended the November 18, 2009 Planning Commission meeting and spoke to Mr. Micheli about his proposed subdivision and referred him to the Interim City Manager.

Motion was made by Dunker/Thompson to approve the minutes of the December 15, 2009 regular meeting as amended. Motion carried 4-0.

Approve Agreement between The City of Rio Dell and Winzler & Kelly for Proposed Mozzetti Irrigation Site Groundwater Anti-Degradation Analysis

Interim City Manager Stretch stated the groundwater anti-degradation analysis work plan is one of the final steps we must do to attain approval from the RWQCB to move forward with Type II irrigation as the City's preferred method for wastewater disposal. The estimated cost for the scope of work was \$33,000 and in discussing the estimate with Winzler & Kelly they indicated that the estimate may actually be a little on the high side.

Motion was made by Thompson/Marks to approve the agreement between the City of Rio Dell and Winzler & Kelly for the Proposed Mozzetti Irrigation Site Groundwater Anti-Degradation Analysis. Motion carried 5-0.

Make a Determination Whether use of Public Funds for Exercise Program for General Employees Promotes a Valid and Substantial Public Purpose

Interim City Manager Stretch briefly re-stated the issue as previously discussed of whether the use of public funds for an exercise program for general employees promotes a valid and substantial public purpose. He said at the January 5, 2010 regular meeting, the Council made the determination that such expenditure was appropriate for Rio Dell Police Officers but did not pass for the general employees due a 2-2 tie vote. As a result, the Council asked that the item be returned for reconsideration with all council members present.

Councilmember Marks referred to the last paragraph of the Fitness Program Description (Fitness Program General Information for Participants) where it stated that another employee may not sign for you, and should this occur it would count as a missed class. She felt that if that happened both persons should be counted as missing a class.

Interim City Manager stated the Program Guidelines could be amended and come back to the council for approval. Council concurred.

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Councilmember Thompson stated he was unclear what is being asked for the general employees since fit camp is only an 8 week program as stated in the Agreement and Release of Liability; staff explained the program was on-going in which each session lasted 8 weeks.

Al Petrovich, 1231 Eeloa Ave. addressed the Council regarding the issue and stated he promoted fitness on a personal level but felt it was improper for the City to pay for a fitness program for employees.

Bud Leonard, 300 Woodland Dr. stated that he noticed that the policy did not include all employees and if everyone were to participate it would be expensive. He said he was in agreement to provide the benefit for police officers, but not in support of the program for general employees.

Sharon Wolfe, 3 Painter St. stated she also agreed with the program for police officers but providing it for general employees was another issue. She said she was not able to find a written Mission Statement for the City but nevertheless said it would be a stretch to extend the program to general employees especially during these tough economic times. She commented that she recognized there could potentially be some savings in workers' comp claims but the City would have to budget for all employees not just the few who are currently signed up.

John Snyder, 390 Center St. stated he also objected to the use of public funds for a City sponsored employee fitness program stating that the mood of the Country today is to stop the control of government. He said the money would be better spent on filling of pot holes in our streets and repair of fire hydrants.

Carolyn Petrovich asked for specifics of the fitness program as far as participation; Chief Hill explained that the program was not mandatory but if you sign up you must participate.

Councilmember Dunker stated he was all for promoting wellness and physical training and felt it was valuable for any employee who desires to keep fit and that proper nutrition is just as valuable but that timing is everything. He said he was in support of the program for police officers for the time being as a pilot program but as far as for the public works employees and general employees agreed it could help to reduce workers' comp and health insurance costs but felt it was not a valid expenditure at this time due to current economic conditions.

Motion was made by Dunker/Marks to determine that the use of public funds for an exercise program for general employees does not promote a valid and substantial public purpose.

Interim City Manager Stretch explained that the motion as stated would mean that the matter could not come back at a later time for approval however, if the Council determined that it is a valid and substantial use of public funds but not recommended at this time, then it could come back for discussion at a later date.

Councilmembers Dunker and Marks withdrew their motion and second.

Motion was made by Councilmember Dunker to determine that the use of public funds for an exercise program for general employees does promote a valid and substantial public purpose but did not recommend approval at this time. Motion died due to lack of a second.

### **PUBLIC PRESENTATIONS**

Athena Egan, 1580 Eeloa Ave. addressed the Council regarding a nuisance abatement notice issued to her by the City for clean-up of her property and began by apologizing for the unsightly condition of her yard. She went on to explain the reasons for non-compliance of the order and asked the City Council to grant a one-month extension to allow her adequate time to have the remaining vehicles and junk removed without the assistance of the City. She said she hauled 1,500 lbs. of junk to Eel River Disposal the prior day but the \$25.00 fines that were being assessed each day by the City was not helping the situation.

Mayor Woodall explained to Mrs. Egan that because the item was not on the agenda, the Council could not take action or engage in any dialog with her at this time.

Interim City Manager Stretch stated he was not aware of her request for an extension and offered to place the matter on the next regular meeting agenda for action provided she could meet with him and provide some basic information.

Brandon Phillips, 1529 Northwestern Ave., said that he did not know Mrs. Egan but felt it would be good to help her out and allow her the extra time as requested to get the property cleaned up.

Mayor Woodall referred Mrs. Egan to the City Manager; she agreed make arrangements to discuss the matter with him the next day.

### **REPORTS/STAFF COMMUNICATIONS**

Interim City Manager Stretch reported on recent meeting and activities and announced the closing date for applications for City Manager was today and that he received a very good response with approximately 40 applications received with 16 or so having direct municipal government experience. He said with the help of Councilmembers Dunker and Thompson he hoped to have the applications narrowed down to a smaller number soon; reported there had been very little earthquake damage reported from citizens but the wastewater plant operator had indicated there were breaks in the line that allowed water into the system which would need to be quantified as it could be a significant amount as far as damage. In regard to the current rain storm, he reported our pumps were not handling the flows and many toilets in residences were to the rim which was normal for our current system. He said also reported was some damage to Monument Road (Bagley property) and that public works staff was monitoring their time in the event damages can be reported to OES.

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The City Manager then requested a date be set for a study session to discuss the Wildwood Avenue Striping project; the study session was scheduled for February 23, 2010 at 5:00 P.M. Council was reminded of the study session scheduled for February 9, 2010 at 5:00 P.M. to discuss City goals.

Finance Director Beauchaine reported on recent activities in the finance department and said it had been a very busy two weeks with calendar year-end; was working on securing financing for the wastewater project; reported the audit was taking slightly longer than originally anticipated at a slightly higher cost with completion possibly by mid-March. She also reported that the budget was nearing completion and she would be presenting a mid-year budget review.

Chief of Police Hill reported on recent activities in the police department and stated his department had participated in the Eel River Valley Emergency Response Team regarding Incident command systems; and in regard to storm damage said the public works department was providing sand bags for residents experiencing problems with drainage and said there was some surface flooding on Ogle Ave. that was being monitored. He also announced that on January 30, 2010 the Fortuna Police Department will be on-site providing an agency-assist to allow for training for his department.

### **COUNCIL REPORTS/COMMUNICATIONS**

Councilmember Thompson stated that all council members were invited to the Annual Fire Department dinner and he made the decision to pay for he and his wife's dinner to avoid any potential conflict of interest.

Councilmember Marks commented that she was happy to hear that an ordinance was being drafted regarding open containers; Councilmember Thompson asked if that also included smoking restrictions near public buildings; Chief Hill noted the current law states that you must be 25 feet away from a public building to smoke.

Councilmember Dunker stated that he had no recent League of California Cities activity to report but did participate in an executive committee conference call and a tentative date of February 26, 2010 was set for a LOCC Division meeting in which the City of Fortuna was asked to host. He said he would report back as to whether they accept the invitation to host that meeting.

### **ADJOURNMENT**

There being no further business to discuss, the meeting adjourned at 7:55 P.M. to the February 2, 2010 Regular Meeting.